

FEB 04 2003

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7001 0320 0004 5579 9008

Shelly R. Heston, Environmental Manager
Climax Molybdenum Company
2598 Highway 61
Fort Madison, IA 52627

Dear Ms. Heston:

RE: Request for Information - Climax Molybdenum Company, Fort Madison, Iowa
EPA ID No. IAD000222653

The purpose of this letter is to request information regarding the Climax Molybdenum Company Fort Madison Facility's mineral processing operations and waste management practices. Under the provisions of Section 3007(a) of Resource Conservation and Recovery Act (RCRA), 42 United States Code (42 U.S.C.) 6927(a), the United States Environmental Protection Agency, Region 7 (EPA) may require persons subject to RCRA to furnish information necessary for EPA to administer the Act. Pursuant to EPA's authority set forth in Section 3007(a), you are requested to submit the following information.

EPA requires that you provide the information requested below within thirty (30) calendar days of your receipt of this letter. An extension may be granted by EPA only for good cause, and if requested from James Aycock within seven (7) calendar days after your receipt of this letter. If we do not hear from you within seven (7) calendar days of your receipt of this letter, we will expect your response within 30 days. Mr. Aycock can be reached at (913) 551-7887.

INSTRUCTIONS

Please provide a separate narrative response to each request and provide any and all documents relied upon or related to your response to each request. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds.

These requests for documents shall be construed as requests for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request(s) to which it responds, the current location and

ARTD/RESP:AYCOCK:7887:pr:H:/CLIMAX.3007.WPD:01/31/03

RESP

RESP

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HOLMES

HUFFMAN

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2/3/03

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2/4/03



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RCRA RECORDS CENTER

If you have any questions concerning this matter, please contact Mr. Aycock at (913) 551-7887. Legal questions should be directed to Ms. Belinda Holmes, Assistant Regional Counsel, at (913) 551-7714.

Sincerely,

Diane L. Huffman
Chief
RCRA Enforcement and State Programs Branch

Enclosure

cc: Cal Lundberg
Iowa Department of Natural Resources

bcc: Gary Witkovski
ENSV/ARCM

Belinda Holmes
CNSL

custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility.

If you believe that documents or information responsive to one request are responsive, in whole or in part, to one or more other requests, you need not provide the information or documents more than once. In such cases, you may identify the documents or information already provided by some unambiguous means, as long as the precise manner in which the documents or information are responsive to the subsequent request is clearly specified.

Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. If requested information or documents are not known or are not available to you at the time of your response to this Information Request, but later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time within one year after submission of your response that any portion is or becomes false, incomplete, or misrepresents the facts, you must provide EPA with a corrected response as soon as possible.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify such person(s), a phone number or address at which they can be reached, and the additional information or documents which they may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request identify the person(s) from whom such information or documents may be obtained.

Do not substitute derivative or summary documents for more complete documents or responsive information. Where a document is requested, please provide the responsive document. Submission of cursory responses when other responsive information is available to you will be considered non-compliant with this Information Request. You may, if you wish, provide additional or explanatory documents to accompany the responsive document(s).

DEFINITIONS

"Facility," as used in this request, means the smelter or furnace, and all contiguous land, structures, other appurtenances, and improvements on the land.

"Material," as used in this request, means any raw material, intermediate, in-process material, secondary material, recyclable material, product, by-product, solid waste, hazardous waste, sludge, wastewater, discharge, run-off, etc. Refuse, sanitary waste, and effluent from personnel restrooms, showers, administrative offices, residences, or bunkhouses that are not mixed with or intermingled with any other material listed above are not included in this definition of "material."

"Unit or Process," as used in this request, includes any activity or location involving:

1. smelting or furnacing, including blast furnacing, dross furnacing, roasting, sintering, conversion, scrubbing, acid production, fire refining, anode furnace, electrolytic refining, precious metals recovery, nickel speiss, dore metal, cooling, liberator, bedding plant, black acid, wastewater treatment, plant recycle, blow down, bleed electrolyte, sublimation, condensing, leaching, and any other activity receiving or inputting any material from one of these units or processes;
2. any structure, building, pond, basin, impoundment, pad, bare ground, container, tank, sump, pit, etc. receiving or inputting any material from one of the units or processes listed in 1. above; and,
3. any placement, storage, or conveyance of any material that exits a Unit or Process listed in 1. or 2. above, even if the material will be used or reused in any process.

Unless otherwise indicated, all remaining terms used in this information request and in your response that are defined in RCRA and the regulations promulgated pursuant thereto will be interpreted according to the statutory or regulatory definition.

INFORMATION REQUEST

Unless otherwise specified, the information requests apply to all materials, units or processes at your Facility and, unless otherwise specified, the relevant time period for these requests is from January 1, 1998, to the present.

1. In order to minimize misinterpretation of your responses to this information request, if you use any industry terms such as, but not limited to: revert, slag, refractory brick, concentrate, flux, etc., please provide a detailed definition of the term.
2. Provide the names and titles of the primary person(s) responsible for environmental compliance at the Climax Molybdenum Company's Fort Madison Facility. For each person identified, describe the person's environmental compliance responsibilities.
3. Provide a schematic diagram(s) of the Facility. The diagram(s) should include:
 - a. locations of the plant buildings, Units or Processes, and property lines;
 - b. connections to the wastewater treatment plant(s), if any;
 - c. material placement and storage locations (including 90-day hazardous waste generator storage areas and satellite accumulation areas). Label

each location with the type of unit used for placement or storage (container, tank, pile, bin, bare land, etc.); and,

- d. an indication whether each Unit or Process is operating, closed (all material has been removed and the Unit or Process has been cleaned or decontaminated), emptied (all material has been removed from the Unit or Process), idle (the Unit or Process is not being operated, but materials remain inside), or "other" (please specify).
4. Provide a flow diagram for each Unit or Process. Include the following information on each diagram:
 - a. identify each material entering the Unit or Process and the source of the material;
 - b. all materials generated in, produced in, or exiting from the Unit or Process; and,
 - c. for each material exiting each Unit or Process, identify its intermediate disposition(s) (if applicable) and final disposition(s).
 5. Provide a complete written description of each Unit or Process identified in each Unit or Process flow diagram. In addition, if written Standard Operating Procedures (SOPs) have already been prepared for any of the units or processes, include them in your submittal. In this detailed description:
 - a. identify each material entering the Unit or Process, the source of the material, and whether the material is purchased;
 - b. identify all materials generated in, produced in, or exiting from each Unit or Process;
 - c. state if the materials generated in, produced in, or exiting from each Unit or Process is a product, and, if so, whether it is immediately ready for sale or if additional handling or processing is needed;
 - d. identify the next and ultimate destination of each material generated, produced, or exiting from each Unit or Process;
 - e. provide a mass balance for the period of January 1 to December 31 of the same year for each of the calendar years 1998, 1999, 2000, 2001 and 2002, including the quantity of each material entering the Unit or Process, the quantity of each material generated in or produced in each Unit or Process, the quantity of each material exiting each Unit or Process, and the quantity of each material currently in each Unit or Process; and,

- f. state whether the Unit or Process has changed in any significant way during the last five (5) years. If so, describe and explain the change(s) and identify each material generated as a result of the changes.
- 6. Identify all activities, units or processes which you assert are:
 - a. extraction;
 - b. beneficiation; or,
 - c. processing of ores and minerals as defined in Title 40, Code of Federal Regulations ("40 C.F.R.") § 261.4(b)(7). Label each of these activities, units, or processes on the applicable diagram(s) with the applicable assertion. In responding to this request, provide copies of all analytical results, data or other documentation used as the basis for each such assertion, even if it is dated prior to January 1, 1998.
- 7. Identify all materials which you have determined are solid wastes or hazardous wastes under RCRA Subtitle C. Label each of these wastes on the applicable diagram(s) with your determination. In responding to this request, provide copies of all analytical results, data, or other documentation used to make your determination, even if it is dated prior to January 1, 1998. For each determination of each waste, please provide:
 - a. the results of your hazardous waste determination, as detailed in 40 C.F.R. § 262.11, including hazardous wastes (include all applicable waste codes) and wastes that you determined were solid wastes but not hazardous wastes;
 - b. a listing of any hazardous constituents in the waste (unless the waste is listed in 40 C.F.R. § 261.32-33); and,
 - c. all documents received from the State or EPA relating to your hazardous waste determinations under RCRA Subtitle C. Information published in 40 C.F.R., Federal Registers, and RCRA Subtitle C need only be referenced by section number or date and page number.
- 8. Identify all materials which you assert are excluded, exempt, or partially exempt from regulation under RCRA Subtitle C. Label each of these materials on the applicable diagram(s) with the applicable assertion. In responding to this request, provide copies of all analytical results, data, or other documentation used as the basis for each such assertion, even if it is dated prior to January 1, 1998. In your response, please include:
 - a. the statutory and regulatory basis of each such assertion; and,

- b. all documents received from the State or EPA relating to any claimed exclusion or exemption of any wastes from RCRA Subtitle C regulation. Information published in 40 C.F.R., Federal Registers, and RCRA Subtitle C need only be referenced by section number or date and page number.
9. Identify all wastes in your response to question 7 that have been disposed of off-site in the last five (5) years. For each waste that was disposed of off-site, list:
- a. the quantity, in kilograms, disposed of each year for the last five (5) years (include dates of shipments and the name and address of the transporter);
 - b. the location of the disposal unit, including the name and address of the disposal facility; and,
 - c. the appropriate manifest, Land Disposal Restriction Notice, shipping paper, or bill of lading date and number.
10. Identify each material placement or storage area at the Fort Madison Facility on the applicable diagram(s). For each material placement or storage area, please:
- a. describe the type of unit used for placement or storage (container, bin, bare land, etc.).
 - b. describe its approximate dimensions, volume, and placement or storage capacity;
 - c. describe any pipelines or other conveyances connected to or leading to the placement or storage area;
 - d. describe whether and with what materials it is constructed and/or lined, and the date it was installed or first used, even if it was installed or first used prior to January 1, 1998;
 - e. describe how materials are added and/or removed from it;
 - f. describe the duration of placement or storage, and the frequency of disposal or other disposition (if applicable);
 - g. describe any maintenance activities performed, including inspections, monitoring, and repairs; and,
 - h. identify any reportable releases or discharges from the placement or storage area that have occurred in the last five (5) years.
11. Identify all materials which you assert are recyclable or are being recycled, are

being reclaimed, are reclaimed, or are secondary materials from mineral processing or brought on-site for processing from which values will be recovered. Label each of these materials on the applicable diagram(s) with the applicable assertion. In responding to this request, provide copies of all analytical results, data, or other documentation used as the basis for each such assertion and determination, even if it is dated prior to January 1, 1998. For each such material, please determine and state:

- a. the annual percentage of turnover, using your response to question 5.e, for all materials of the same type (e.g. slags from a single smelting process) that are recycled in the same way (i.e. from which the same material is recovered or that is used in the same way), as detailed in 40 C.F.R. § 261.1(c)(8);
- b. if the material would be a listed hazardous waste or a characteristic hazardous waste if you did not recycle the material;
- c. if the material contains constituents listed in 40 C.F.R. Part 261 Appendix VIII not found in the analogous raw material or product provide details on concentrations in the materials versus concentrations in the raw material product;
- d. whether the material contains as much recoverable material as the analogous raw material or product it replaces, and/or whether it is as effective as the analogous raw material or product it replaces and give details on how it is effective;
- e. whether the material can be fed directly into the process (i.e., direct use), or whether reclamation or pretreatment is required;
- f. the economic value of the material compared to the raw material that normally enters the process;
- g. is the material placed on the land? If no: please state your reason or explanation. If yes:
 1. identify the placement or storage area as shown on your diagram(s);
 2. state whether you believe and why you believe the placement or storage area meets the terms of the conditional exclusion of 40 C.F.R. § 261.4(a)(17); and,

- h. describe the specification requirements of all materials in which a recycled/waste material is being used as a substitute raw material feed stock.
12. Identify all materials listed in your response to question 11 that are brought in from off-site for recycling or reclamation at your Facility, and all materials that are sent off-site for recycling or reclamation.

You may also provide any other documents or calculations you deem relevant to demonstrate that the materials are being legitimately recycled and that you are not speculatively accumulating the material.

Your submittal(s) containing information required by this letter must include the following signed and dated certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete."

You are entitled to assert a claim of business confidentiality covering any part or all of the information you provide, in a manner described in 40 C.F.R. § 2.203(b). Procedures for making and substantiating any such claim are enclosed. Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the request for information is submitted, EPA may make this information available to the public without further notice to you. This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 42 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See, also, 5 C.F.R. §§ 1320.3(c), 1320.4, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons, 44 U.S.C. §3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a).

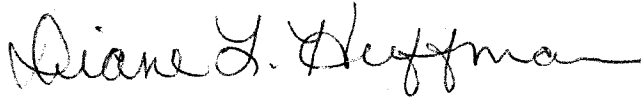
Please send the requested information to:

Mr. James Aycock
RCRA Enforcement and State Programs Branch
U.S. Environmental Protection Agency, Region 7
901 North 5th Street
Kansas City, KS 66101

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

If you have any questions concerning this matter, please contact Mr. Aycock at (913) 551-7887. Legal questions should be directed to Ms. Belinda Holmes, Assistant Regional Counsel, at (913) 551-7714.

Sincerely,

A handwritten signature in black ink, reading "Diane L. Huffman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Diane L. Huffman
Chief
RCRA Enforcement and State Programs Branch

Enclosure

cc: Cal Lundberg
Iowa Department of Natural Resources

ENCLOSURE

If you wish EPA to treat any information or record as "confidential," you must advise EPA of the fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. Please stamp or type "confidential" on all confidential responses and any related confidential documents. You must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential," and identify the number of the request to which it is the response.

Pursuant to 40 C.F.R. §2.208(e), you bear the burden of substantiating your confidentiality claims. Therefore, in order for EPA to determine the validity of your confidentiality claims, please submit responses to EPA on the following points for each document or response that you consider confidential:

1. The period of time for which confidential treatment is desired by you (e.g., until a certain date, until the occurrence of a specified event, or permanently).
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. Measures taken by you to guard against undesired disclosure of the information to others.
4. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith.
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please submit a copy of the determination.
6. Is the information contained in any publicly available material such as promotional publications, annual reports, articles, sales material, etc.? Is there any means by which a member of the public could obtain access to the information?
7. For each category of information claimed as confidential, discuss with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

8. Whether you assert that the information is voluntarily submitted information as defined in Section 2.201 (I) and if so, whether and why disclosure of the information would tend to lessen the availability to the EPA of similar information in the future.
9. Any other issue you deem relevant.

Please provide a written index identifying the following for each document or response for which you assert a claim of confidentiality:

1. A description of the document and nature of the information, including for a document the author(s), date, summary or title, and recipient(s);
2. The portion of the information alleged to be entitled to confidential treatment;
3. The location or identification of the appropriate substantiating information in response to questions #1-9 above.

In accordance with §2.205(c), information you submit as part of your comments and responses to this notice which pertains to your confidentiality claim, which is not otherwise possessed by EPA, and which is marked confidential in accordance with §2.203(b) will be regarded by EPA as entitled to confidential treatment and will not be disclosed by EPA without your consent, unless its disclosure is duly ordered by a Federal Court, notwithstanding other provisions of Subpart B which is to the contrary. If you fail to claim the information as confidential upon submission it may be made available to the public without further notice to you.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

FEB 04 2003

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7001 0320 0004 5579 9008

Shelly R. Heston, Environmental Manager
Climax Molybdenum Company
2598 Highway 61
Fort Madison, IA 52627

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 - a. the statutory and regulatory basis of each such assertion; and,

- b. all documents received from the State or EPA relating to any claimed exclusion or exemption of any wastes from RCRA Subtitle C regulation. Information published in 40 C.F.R., Federal Registers, and RCRA Subtitle C need only be referenced by section number or date and page number.
9. Identify all wastes in your response to question 7 that have been disposed of off-site in the last five (5) years. For each waste that was disposed of off-site, list:
- a. the quantity, in kilograms, disposed of each year for the last five (5) years (include dates of shipments and the name and address of the transporter);
 - b. the location of the disposal unit, including the name and address of the disposal facility; and,
 - c. the appropriate manifest, Land Disposal Restriction Notice, shipping paper, or bill of lading date and number.
10. Identify each material placement or storage area at the Fort Madison Facility on the applicable diagram(s). For each material placement or storage area, please:
- a. describe the type of unit used for placement or storage (container, bin, bare land, etc.).
 - b. describe its approximate dimensions, volume, and placement or storage capacity;
 - c. describe any pipelines or other conveyances connected to or leading to the placement or storage area;
 - d. describe whether and with what materials it is constructed and/or lined, and the date it was installed or first used, even if it was installed or first used prior to January 1, 1998;
 - e. describe how materials are added and/or removed from it;
 - f. describe the duration of placement or storage, and the frequency of disposal or other disposition (if applicable);
 - g. describe any maintenance activities performed, including inspections, monitoring, and repairs; and,
 - h. identify any reportable releases or discharges from the placement or storage area that have occurred in the last five (5) years.
11. Identify all materials which you assert are recyclable or are being recycled, are

being reclaimed, are reclaimed, or are secondary materials from mineral processing or brought on-site for processing from which values will be recovered. Label each of these materials on the applicable diagram(s) with the applicable assertion. In responding to this request, provide copies of all analytical results, data, or other documentation used as the basis for each such assertion and determination, even if it is dated prior to January 1, 1998. For each such material, please determine and state:

- a. the annual percentage of turnover, using your response to question 5.e, for all materials of the same type (e.g. slags from a single smelting process) that are recycled in the same way (i.e. from which the same material is recovered or that is used in the same way), as detailed in 40 C.F.R. § 261.1(c)(8);
- b. if the material would be a listed hazardous waste or a characteristic hazardous waste if you did not recycle the material;
- c. if the material contains constituents listed in 40 C.F.R. Part 261 Appendix VIII not found in the analogous raw material or product provide details on concentrations in the materials versus concentrations in the raw material product;
- d. whether the material contains as much recoverable material as the analogous raw material or product it replaces, and/or whether it is as effective as the analogous raw material or product it replaces and give details on how it is effective;
- e. whether the material can be fed directly into the process (i.e., direct use), or whether reclamation or pretreatment is required;
- f. the economic value of the material compared to the raw material that normally enters the process;
- g. is the material placed on the land? If no: please state your reason or explanation. If yes:
 1. identify the placement or storage area as shown on your diagram(s);
 2. state whether you believe and why you believe the placement or storage area meets the terms of the conditional exclusion of 40 C.F.R. § 261.4(a)(17); and,

- h. describe the specification requirements of all materials in which a recycled/waste material is being used as a substitute raw material feed stock.
- 12. Identify all materials listed in your response to question 11 that are brought in from off-site for recycling or reclamation at your Facility, and all materials that are sent off-site for recycling or reclamation.

You may also provide any other documents or calculations you deem relevant to demonstrate that the materials are being legitimately recycled and that you are not speculatively accumulating the material.

Your submittal(s) containing information required by this letter must include the following signed and dated certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete."

You are entitled to assert a claim of business confidentiality covering any part or all of the information you provide, in a manner described in 40 C.F.R. § 2.203(b). Procedures for making and substantiating any such claim are enclosed. Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the request for information is submitted, EPA may make this information available to the public without further notice to you. This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 42 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See, also, 5 C.F.R. §§ 1320.3(c), 1320.4, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons, 44 U.S.C. §3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a).

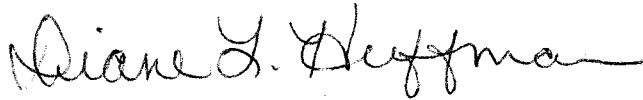
Please send the requested information to:

Mr. James Aycock
RCRA Enforcement and State Programs Branch
U.S. Environmental Protection Agency, Region 7
901 North 5th Street
Kansas City, KS 66101

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

If you have any questions concerning this matter, please contact Mr. Aycock at (913) 551-7887. Legal questions should be directed to Ms. Belinda Holmes, Assistant Regional Counsel, at (913) 551-7714.

Sincerely,

A handwritten signature in black ink, reading "Diane L. Huffman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Diane L. Huffman
Chief
RCRA Enforcement and State Programs Branch

Enclosure

cc: Cal Lundberg
Iowa Department of Natural Resources

ENCLOSURE

If you wish EPA to treat any information or record as "confidential," you must advise EPA of the fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. Please stamp or type "confidential" on all confidential responses and any related confidential documents. You must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential," and identify the number of the request to which it is the response.

Pursuant to 40 C.F.R. §2.208(e), you bear the burden of substantiating your confidentiality claims. Therefore, in order for EPA to determine the validity of your confidentiality claims, please submit responses to EPA on the following points for each document or response that you consider confidential:

1. The period of time for which confidential treatment is desired by you (e.g., until a certain date, until the occurrence of a specified event, or permanently).
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. Measures taken by you to guard against undesired disclosure of the information to others.
4. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith.
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please submit a copy of the determination.
6. Is the information contained in any publicly available material such as promotional publications, annual reports, articles, sales material, etc.? Is there any means by which a member of the public could obtain access to the information?
7. For each category of information claimed as confidential, discuss with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

8. Whether you assert that the information is voluntarily submitted information as defined in Section 2.201 (I) and if so, whether and why disclosure of the information would tend to lessen the availability to the EPA of similar information in the future.
9. Any other issue you deem relevant.

Please provide a written index identifying the following for each document or response for which you assert a claim of confidentiality:

1. A description of the document and nature of the information, including for a document the author(s), date, summary or title, and recipient(s);
2. The portion of the information alleged to be entitled to confidential treatment;
3. The location or identification of the appropriate substantiating information in response to questions #1-9 above.

In accordance with §2.205(c), information you submit as part of your comments and responses to this notice which pertains to your confidentiality claim, which is not otherwise possessed by EPA, and which is marked confidential in accordance with §2.203(b) will be regarded by EPA as entitled to confidential treatment and will not be disclosed by EPA without your consent, unless its disclosure is duly ordered by a Federal Court, notwithstanding other provisions of Subpart B which is to the contrary. If you fail to claim the information as confidential upon submission it may be made available to the public without further notice to you.

RECORDS CENTER FILING FORM

for

Information Request Letters and Notices (NOVs, NOPFs, and NOPVs)

Complete one form per original document. (Please see instructions on the back of this form.)

- Document contains NON-RELEASABLE information (circle one): YES (NO)
- Program or Branch (circle one):

RCRA	Superfund	ENSV/DISO	ENSV/NEPA	ARTD/RALI
ARTD/CRIB	ARTD/APDB	ARTD/APCO	WWPD/DWGW	WWPD/GPCB
WWPD/NFMB	WWPD/PEST	WWPD/WRPB		
- Type of document (circle one): INFO. REQUEST NOV NOPF NOPV
- Facility or Company Name: Climax Molybdenum Co.
- Site Name, if no Facility or Company Name #4: Climax Molybdenum Co, Fort Madison, IA.
- Identification Number (if applicable, RCRA I.D., CERCLA I.D., etc.): ~~IA0000222653~~ IAD000222653
- Name of person submitting document for filing: Jim Aycock
- Name of EPA manager officially signing document: Diane Huffman
- Date document was submitted to Records Center (MM/DD/YYYY): 2/14/03
- Statute document was issued under (circle one): RCRA CAA CWA Other
- Requirement document was issued under (circle one): Other

RCRA:	Generator	Transporter	TSDf	Used Oil	Combustor	Corrective Action
CAA:	NSPS	MACT	SIP	CFC	NSR	
CWA:	NPDES-Municipal	NPDES-Industrial	Pretreatment-Municipal	Pretreatment-Industrial		
	Sludge	OPA	SSO	CSO	CAFO	Stormwater
- Initiative document was issued under, if applicable (specify one):
 (name; eg. SSO, Wood Products 114s, etc)
- Keywords for document to be searched under:
- Date or Date Stamp Date IRL or Notice was issued (MM/DD/YYYY): 2/4/03
- Due Date for IRL or Notice response (MM/DD/YYYY): 2/6/03
- Response Received Date for IRL or Notice (MM/DD/YYYY): 1/1/

FOR RECORDS CENTER PDF META-DATA FIELDS

Title: Use #2 and #12 if listed. **Subject:** Use #4, if blank, use #5. **Author:** Use #8.
Keywords: Statute (#10), Requirement (#11), Region 7, Company Name (use #4, if blank, use #5), Date Response Received (#16), and any additional information identified by the Compliance Officer (#13).

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shelly R. Heston, Envir. Manager
Climax Molybdenum Company
2598 Highway 61
Fort Madison, IA 52627

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

CARL BEYTHOLD

B. Date of Delivery

02-06-02

C. Signature

X Carl Beythold

☒ Agent

☐ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below:

☐ No

P.O. BOX 220

Undel. at street address

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

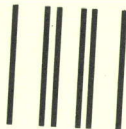
☐ Yes

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US Environmental Protection Agency
Region VII
901 N. 5th Street
Kansas City, KS 66101

RESP Aycock

REC'D

FEB 11 2003

RESP



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Sent To

Street, Apt
or PO Box

City, State,

Shelly R. Heston, Envir. Manager
Climax Molybdenum Company
2598 Highway 61
Fort Madison, IA 52627

7001 0320 0004 5579 9008